

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JEAN MELCHIOR,

Plaintiff,

v.

HILITE INTERNATIONAL, INC.

Defendant.

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CIVIL ACTION NO. 3:11-cv-03094-M

JUDGMENT

This action was tried by a jury from February 17, 2015 to February 27, 2015. On February 27, 2015, the jury rendered a verdict [Docket No. 263]. On July 15, 2015, the Court ruled on the parties' post-verdict motions [Docket No. 291]. Based upon the jury's verdict, which is expressly incorporated herein, and all prior orders of the Court, and pursuant to Federal Rule of Civil Procedure 58, the Court hereby awards judgment in favor of Plaintiff Jean Melchior ("Melchior") against Defendant Hilite International, Inc. ("Hilite"), and **ORDERS** as follows:

1. Melchior is awarded the sum of \$14,530,692 in reasonable royalty damages for Hilite's infringement of Claims 22–25 of United States Patent No. 5,645,017 ("the '017 Patent"), Claims 7–10, 12–15, and 18 of United States Patent No. 5,649,506 ("the '506 Patent"), and Claim 5 of United States Patent No. 5,507,254 ("the '254 Patent") arising out of sales of Hilite's Fast Phaser to Chrysler.

2. Melchior is awarded the sum of \$2,249,172 in reasonable royalty damages for Hilite's infringement of Claims 7–10, 12–15, and 18 of the '506 Patent arising out of sales of Hilite's Fam-B phaser to General Motors.

3. Pursuant to 35 U.S.C. § 284, the Court awards Melchior prejudgment interest, payable by Hilite, calculated on a simple basis from the commencement of infringement to the

date of this Judgment based upon the U.S. Treasury Rate for 10-year constant maturity, in the amount of \$915,351.40.

4. Pursuant to 28 U.S.C. § 1961(a), the Court awards Melchior post-judgment interest payable by Hilite at the statutory rate of 0.33% *per annum*.

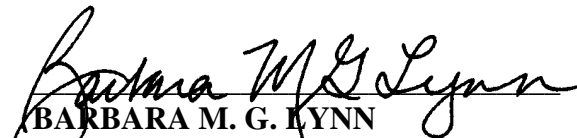
5. The jury having found infringement and that Claims 22–25 of United States Patent No. 5,645,017, Claims 1–2, 7–10, 12–15, and 18 of United States Patent No. 5,649,506, and Claim 5 of United States Patent No. 5,507,254 are not invalid, it is **ORDERED** that Hilite take nothing by way of its counterclaims for declaratory judgment, and that Hilite's counterclaims are **DISMISSED with prejudice**. The Court previously granted summary judgment in favor of Hilite on Melchior's claims for willful infringement [Docket No. 207], and those claims are **DISMISSED with prejudice**.

6. It is **ORDERED** that Melchior shall recover his costs from Hilite.

7. All relief not expressly granted in this judgment is hereby denied.

SO ORDERED.

July 27, 2015.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS